

YADKIN COUNTY BOARD OF COMMISSIONERS

REGULAR SESSION MINUTES

Monday, August 19, 2019

The Board of Commissioners of the County of Yadkin, State of North Carolina, met in Regular Session in the Commissioners' Meeting Room of the Yadkin County Human Resources Building located at 217 East Willow Street, Yadkinville, NC on August 19, 2019 at 7:00pm.

Present were:

Chairman Kevin Austin
Vice Chairman David Moxley
Commissioner Gilbert Hemric
Commissioner Marion Welborn
Commissioner Frank Zachary

Staff present: County Attorney, Ed Powell; County Manager, Lisa Hughes; Clerk to the Board, Tanya Gentry; Assistant County Manager, Drew Hinkle; and Finance Officer, Lindsey Cearlock.

INVOCATION given by Chairman Austin.

CALL TO ORDER by Chairman Austin at 7:01pm.

PLEDGE OF ALLEGIANCE led by Chairman Austin.

ADJUSTMENTS TO/ADOPTION OF THE AGENDA

Vice Chairman Moxley made a motion to adopt the Agenda as presented. Commissioner Hemric second.

Vote: 5/0.

PUBLIC COMMENTS

Keith Pavlansky addressed the Board. He lives on Union Cross Church Road. He was here representing the Kingdom of God, Faith Fellowship Church, his family, Personhood Alliance, and others who share his beliefs. A large number of guests came with him tonight. He thanked them all for coming. He thanked the Board, County Manager Hughes, and County Attorney Powell for graciously taking up their request to review the resolution they presented at the previous Board of Commissioners meeting. History will be made tonight if the resolution is adopted. Yadkin County will become a sanctuary for life, a County of refuge that is the first of its kind in the nation. A place where all life is valued and honored. They don't want their group confused with sanctuary cities that promote lawlessness and protect lawbreakers. That is not them in any way. They want the clearly written Constitutional law to be upheld within the County. They promote the inalienable God-given rights of life, liberty, and the pursuit of happiness that are clearly spelled out in both the 5th and 14th Amendments. They all agree that natural law, or supreme law, takes precedence over all others. Tonight they pray collectively for God's will to be done in Yadkin County. Infanticide is not permitted in Heaven. Life at all stages of development should be valued and celebrated. The tragic truth is that approximately 27,000 babies are aborted each year in our State. Abortion is the number 1 cause of death in North Carolina. It is legal to kill babies who survive abortions. That is outrageous, unacceptable, and barbaric. It is a shame that is allowed to happen in the Bible Belt. Tonight the tide of the battle begins to turn in North Carolina and perhaps in the Country. Tonight the Board of Commissioners will become champions for life and righteousness. They stand with the Board to encourage them. The Board will be remembered and celebrated as the warriors who lead Yadkin County, and perhaps the nation, back towards morality and the respect for life. He thanked the Board for their time and faithfulness.

Bradley Hardy, from the Forbush area, addressed the Board. He would challenge the notion that the Board would be leading everyone back towards morality. He doesn't think that the Board has a monopoly on morality. He has an issue with where it states in the resolution that "the Supreme Court of the United States has abused its proper function of judicial review". While two of the people sitting before him has law degrees he doesn't think that makes them qualified to say that about the United States Supreme Court. He has an issue with the ambiguity of the last clause of the resolution. It says that the "Yadkin County Board of Commissioners resolves to use all means within its power to support the sanctity of life". How will the

resolution affect the Board of Health? How is it going to affect Connie Caudle who is in charge of Family Planning? Ninety-nine percent of women age 15 to 44 who are sexually active use birth control. Is the Board going to tie their hands? He thinks the Board really needs to think about this. He doesn't think it is the proper role for the Yadkin County Board of Commissioners to take. He doesn't think the Board should pursue this. He thinks the Board should focus on economic development and not get involved in social issues. He thanked the Board for their time.

Pastor Billy Seats, of Southside Baptist Church, addressed the Board. He appreciates the Board's time. He thanked the Board for reviewing the resolution they proposed. Southside Baptist Church stands together with Keith Pavlansky and Faith Fellowship Church. Every unborn baby deserves a chance to enjoy the freedom in America and have all of the fine things that we have. The Board will make history tonight. Young women who are pregnant need a place they can come to and receive the support and help that they need without judgement. The Churches of Yadkin County have offered to provide that support to the mothers and fathers of the unborn babies. They will assist with whatever the babies need when they are born. He believes that Yadkin County will rise to the top and have great things happen, including getting more grants. He humbly asked the Board to adopt the resolution.

Chairman Austin closed the Public Comments at 7:17pm.

APPROVAL OF MINUTES

The August 5, 2019 Regular and Closed Session Minutes were reviewed. **Commissioner Welborn made a motion to approve both sets of minutes as presented. Commissioner Zachary second.**

Vote: 5/0.

REPORTS/REQUESTS OF THE BOARD

Yadkin River Greenway Presentation

Ron Niland addressed the Board. He presented information on the Yadkin River Greenway. He would like to get the County involved with a project that will help with economic development. It has been shown over the years that outdoor gear manufacturing companies, and certain other companies, like to locate near places that have outdoor facilities, like the Yadkin River Greenway. Approximately eight to ten years ago they started acquiring property along the Yadkin River to use for the Yadkin River Greenway. Vice Chairman David Moxley has offered a lot of support for the Greenway. Vice Chairman Moxley serves on the tourism Board that has been working on the project. Ron Niland thanked Commissioner Marion Welborn for also being a big supporter of the Greenway. Commissioner Welborn worked with them on a large piece of property that was needed for it. They currently have approximately 5 miles of acquired right-of-way for the Greenway. That is a great start. The goal is to promote travel and tourism by providing something that will draw people to Yadkin County. The first 2.5 miles of the Greenway has been opened and they would like to open the rest of the Greenway next year. He showed the Board some maps of the Yadkin River Greenway. It runs all along the Yadkin River. It is uninterrupted; there are no roads that have to be crossed. The properties are beautiful. Some of the properties are wooded and some have slight hills. A lot of the properties are on the edge of farmland. The Yadkin River Greenway is a great asset to Yadkin County. He wants to get Yadkin County behind extending the Greenway. He would like to tie it in with the Mountains-to-Sea Trail. It would be huge to have that come through Yadkin County. Surry County and Elkin are also interested in the Mountains-to-Sea Trail. It is supposed to come down from Stone Mountain through Elkin. He would like Yadkin County and Surry County and the towns involved to construct a pedestrian bridge that would cross the River from Elkin to Jonesville so the Mountains-to-Sea Trail can come through Yadkin County. At some point the Trail will cross back over into Surry County to tie into Pilot Mountain State Park. To extend the Yadkin River Greenway they will need Yadkin County's support. They need Yadkin County staff to do some things and they may need some funding from Yadkin County. They have used grant funding to pay for all the property acquisitions they have done so far. Ron Niland wants to begin work on acquiring the next section of properties that are needed to extend the Greenway. Those properties are owned by 14 different families. Ron Niland would like the County staff to call a meeting and invite all of the property owners to attend so that he can speak with them about the Greenway and what they are trying to accomplish. He complimented the GIS work that Steven Ratcliffe does. Steven Ratcliffe has been a great help with the mapping. Chairman Austin said he knows that Jonesville has made outdoor activities a focus of their Town. This is a great project. The Board will talk about it more and figure out what the next steps should be. Ron Niland thanked the Board for their time.

CONSENT AGENDA

Commissioner Hemric made a motion to approve the Consent Agenda items as presented.

Commissioner Zachary second.

Vote: 5/0.

The Consent Agenda items that were approved by the Board are as follows:

Solid Waste/White Goods Budget Amendment

Line Item	Account	Current Budget	Increase/ (Decrease)	New Budget
Transfer Fee	6054710-54317	1,776,950	(10,000)	1,766,950
White Goods Contract Services	6054770-51700	0	10,000	10,000

Transfer of funds needed for white goods contract services.

Tax Adjustments & Refunds for July 2019

The Tax Office submitted the tax adjustments and refunds for the month of July 2019. The Board reviewed the information and approved the presented adjustments and refunds as requested.

Thompson, Price, Scott, Adams Contract Amendment

Thompson, Price, Scott, Adams & Co. are conducting the County's financial audit. Last year the Office of the State Auditor required the Medicaid testing portion of the audit to have its own separate report. This year, although the same Medicaid testing procedures have to be done, they are not requiring the report to be done separately. Since a separate report isn't required the County doesn't need to enter into a separate contract for the work. The contract amendment before the Board is needed to add the cost of the Medicaid testing portion of the audit to the existing financial audit contract. It will increase the contract by \$5,500.00. The Board approved the Thompson, Price, Scott, Adams & Co. contract amendment.

Jodi Province Counseling Services Contract

Jodi Province Counseling Services will provide counseling services to eligible Human Services Agency clients. They will also provide continuing education/staff training to Social Workers and any other staff the Human Services Agency determines needs the training. The Board approved the contract and authorized the County Manager to sign it.

PUBLIC HEARING/ACTION TO SET PUBLIC HEARING

There were no Public Hearings or actions to set Public Hearings.

BOARD ACTION

Adopt Resolution for Life

County Manager Hughes read the following Resolution for Life:

RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS, DECLARING THE COUNTY OF YADKIN, NORTH CAROLINA FOR LIFE AND URGING THE CITIZENS OF THE COUNTY OF YADKIN TO PROMOTE AND DEFEND THE INALIENABLE RIGHT TO LIFE AND THE INHERENT DIGNITY OF ALL HUMAN BEINGS, INCLUDING THE PRE-BORN, FROM CONCEPTION OR FERTILIZATION THROUGH ALL STAGES OF DEVELOPMENT.

WHEREAS, the Declaration of Independence affirms that all men are created equal and have been endowed by the Creator with certain unalienable rights— chief among them the right to life— and that the protection of these rights is an affirmative duty of federal, state, and local governments; and

WHEREAS, James Madison, who is considered to be the father of the constitution, wrote that "the accumulation of all powers, legislative, executive, and judiciary, in the same hands...may justly be pronounced the very definition of tyranny;" and

WHEREAS, the Supreme Court of the United States has abused its proper function of judicial review and supplanted it with the unconstitutional theory judicial supremacy in order to legislate and impose its policy preferences upon the people; and

WHEREAS, the Fifth and Fourteenth Amendments to the United States Constitution provide for the protection of human life and liberty; and

WHEREAS, the Supreme Court of the United States in Poelker v. Doe (432 US 519, 1977) concluded that “the Constitution does not forbid a State or city, pursuant to democratic processes, from expressing a preference for normal childbirth” instead of abortion; and

WHEREAS, state police power derives from the Tenth Amendment to the United States Constitution, which gives states the powers "not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people;" and

WHEREAS, the power to establish and enforce laws protecting the welfare, safety, and health of the public is a core function of the state's Tenth Amendment police power; and

WHEREAS, Section I of the Constitution of North Carolina states that "all persons are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, the enjoyment of the fruits of their own labor, and the pursuit of happiness"; and

WHEREAS, this County Board of Commissioners desires to express its deep concern that all human beings, at every stage of development, including before birth, in the county of Yadkin should be afforded protection from acts of cruelty, and be treated humanely and with dignity.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Yadkin County Board of Commissioners hereby recognizes and declares the full humanity of the preborn child and declares Yadkin County to be a strong advocate for the preborn where the dignity of every human being will be defended and promoted from conception or fertilization through all stages of development.

Section 2. The Yadkin County Board of Commissioners hereby resolves to use all means within its power to support the sanctity of human life in accordance with the God-given responsibilities as the people's elected governing body.

Adopted, this the 19th day of August, 2019

Commissioner Welborn made a motion to adopt the Resolution for Life as presented. Commissioner Zachary second.

Vote: 5/0.

CALENDAR NOTES

- 1) August 22 – 24, 2019 – NCACC Annual Conference in Guilford County.
- 2) September 2, 2019 – County Offices closed for Labor Day.
- 3) September 3, 2019 – Board of Commissioners Meeting will be Held at 9:00am.
- 4) September 30, 2019 – Tentative Joint Meeting with the Board of Education.

MANAGER'S REPORTS/BOARD ACTION

Yadkin County United Fund

County Manager Hughes read a letter from Tom Kilby, the Executive Director of the Yadkin County United Fund. The letter thanked Yadkin County for donating a Dell laptop computer to them. The laptop is a vast improvement over what they were using. Monta Davis-Oliver, the Chairperson of the Yadkin County United Fund, also sent correspondence to County Manager Hughes thanking the County for the laptop.

FY18-19 Financial Summary

County Manager Hughes gave the Board an updated copy of the FY18-19 Financial Summary. The revenues exceeded the expenditures. The Sales Tax collections were higher than anticipated. The County ended up collecting more in Sales Tax than was included in the FY18-19 Budget.

Information Matrix Show

County Manager Hughes has been contacted by a Producer of the Information Matrix Show. They would like to do a three to five minute documentary on Yadkin County as a great place to live, work, and raise a family. The documentary video for Yadkin County would run 45 times per public broadcasting station per

quarter for one year. A five to six minute corporate profile video would be done that could be placed on the County's website and anywhere else the County would like to make it available for public viewing. She showed the Board two videos that they have produced for other areas. They would also do one high-end one minute educational commercial segment for network distribution. The commercial would be shown on channels like MSNBC, CNBC, CNN, the Learning Channel, and the Discovery Channel. It would air 400 times in the top 100 Designated Market Areas during peak and prime time. The cost, including travel and the film crew, would be \$27,000.00. The County's time commitment would be eight hours. Information Matrix will interview seven or eight people and then determine what footage would be used. The County gets to sign off on all of the scripts before the videos air. There is a Studio Production Authorization form to be signed if the Board decides the County should move forward with doing the videos. The Board discussed it. Chairman Austin asked if the County has received a contract from them. County Manager Hughes said they have not provided a contract. They have only given her the Authorization form for the County to sign. The County would want a contract for the County Attorney to review. The Board would like more time to consider the matter.

MANAGER'S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED

A-1 Auto Glass Contract

A-1 Auto Glass will replace the glass in the right entrance door at the Library.

Blue Ridge Environmental Contract

Blue Ridge Environmental will certify the no rise study that they previously completed with as built site plans for the pedestrian bridge that is located down-stream of the Hood-Chamberlain Dam at Memorial Park.

Communications Services for the Deaf and Hard of Hearing Contract

Communications Services for the Deaf and Hard of Hearing will provide sign language interpreting services when needed.

Dorsett's heating & Air Conditioning Contract

Dorsett's Heating & Air Conditioning, Inc. will replace the HVAC unit for Probation.

Lewisville Drug Company Contract

Lewisville Drug Company will provide the Medical Clinic with pharmacological services. Lewisville Drug Company will also store immunization drugs if the Medical Clinic's immunizations refrigerator/freezer malfunctions. The Medical Clinic staff will be responsible for the transporting of the drugs.

Security Storage Contract

Security Storage will provide the Human Services Agency with storage services.

BOARD VACANCIES/APPOINTMENTS

Surry County Housing Consortium

There is a vacancy on the Surry County Housing Consortium.

Joint Nursing Home Adult Care Home Committee

There is a vacancy on the Committee.

Joint Child Fatality Team/Child Protection Team

Robert Gray Reavis has expressed an interest in serving on the Child Fatality Prevention Team. He has served on the Child Fatality Prevention Team in another County. **Vice Chairman Moxley made a motion to appoint Robert Gray Reavis to the Community Child Protection Team/Child Fatality Prevention Team. Commissioner Zachary second.**

Vote: 5/0.

Reappointment to Jury Commission

The Honorable Beth Holcomb has requested that Annette Hennings be reappointed to the Yadkin County Jury Commission. She has been serving on the Commission for several years. **Commissioner Welborn made a motion to reappoint Annette Hennings to the Yadkin County Jury Commission for a term expiring on June 30, 2021. Commissioner Hemric second.**

Vote: 5/0.

COMMISSIONER COMMENTS

Commissioner Zachary thanked everybody for being here tonight. He appreciated having so many people come to a meeting. He thanked Keith Pavlansky and Pastor Seats for their comments. He thanked Bradley Hardy for being here and expressing his thoughts and questions about the Resolution for Life. He appreciated the opportunity for the Board to adopt the Resolution.

Vice Chairman Moxley thanked everyone who came tonight. He thanked Keith Pavlansky, Pastor Seats, and Bradley Hardy for expressing their opinions on the Resolution for Life. He thanked Ron Niland for his presentation. Vice Chairman Moxley is familiar with the Greenway project. It has already become a very viable economic development piece for that area of the County. A lot of people came to the North Carolina Trail Days celebration that was held in Jonesville and Elkin. He hopes it continues to grow. He is very proud to have been a part of adopting the Resolution for Life. It is a good thing for Yadkin County.

Commissioner Hemric thanked everyone for coming out tonight. He thanked Keith Pavlansky, Pastor Seats, and Bradley Hardy for their comments. He thanked Ron Niland for his presentation on the Greenway.

Commissioner Welborn thanked everyone who came tonight. He wanted to echo Vice Chairman Moxley's comments. Vice Chairman Moxley covered everything that he wanted to say. He thanked Keith Vestal for making sure that the room wasn't over capacity and that the doorways were clear.

Chairman Austin appreciated the Sheriff being here tonight. He thanked the County staff for being here and doing the fine job they always do. It was great to have such a huge, fantastic, crowd here. Tonight's meeting had the largest number of attendees this Board has seen at any of its meetings. It means so much to the Board to hear from so many people. Each of the Commissioners has talked to citizens and paid attention to things in the media and being said on social media. All of those opinions are very valued. He couldn't be more proud that the Board adopted the Resolution for Life. It is a great thing for Yadkin County. He is excited about Ron Niland's presentation. The Board has heard some things about the Greenway, mostly from Vice Chairman Moxley. Having Ron Niland come and show the Board the maps and talk more about the Greenway was good. It is great opportunity for Yadkin County. The Greenway project is going to need some grant money. County staff has some experience with obtaining grant funding for trail projects. He looks forward to the Greenway project moving forward. He thanked County Manager Hughes for showing the Board the Information Matrix videos. The County wasn't familiar with Information Matrix when they first contacted us so more time is needed to learn more about them and their offer before a decision can be made on whether or not Yadkin County should have videos done.

Chairman Austin made a motion to go into Closed Session pursuant to NCGS 143-318.11(a) (1)(3)(4)(5)(6) to discuss Personnel Matters and to Protect Personnel Information that is Confidential under NCGS 153A-98, and to discuss the potential Location or Expansion of Industries or other Businesses in the County, to Establish the County's Negotiating Position for Acquiring Real Property and to Instruct the County Staff on that Position, and to have a Privileged Consultation with our County Attorney and Pursuant to NCGS 131E-97.3 to discuss Confidential Competitive Health Care Information. Commissioner Hemric second.

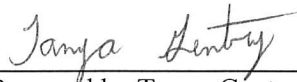
Vote: 5/0.

After a motion to come out of Closed Session was made and the Board was in Open Session, Commissioner Zachary made a motion to authorize the County Manager to offer employment for the Social Worker Supervisor III position at 28.87% above the minimum. Vice Chairman Moxley second.

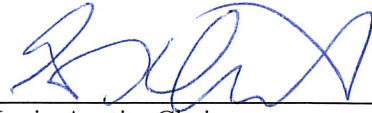
Vote: 5/0.

Commissioner Welborn made a motion to adjourn. Commissioner Hemric second.

Vote: 5/0.



Prepared by Tanya Gentry
Clerk to the Board



Kevin Austin, Chairman
Yadkin County Board of Commissioners

9 / 3 / 2019

Date approved by the
Yadkin County Board of Commissioners